

Application No. 09/995,103
Amendment dated January 13, 2005
Reply to Office Action of October 20, 2004

Docket No. 1232-4788

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1-13 are pending in this application. Claims 1 and 11-13 are independent. All of the pending claims stand rejected.

By this amendment, claim 13 is cancelled without prejudice or disclaimer. Independent claims 1, 11 and 12 are amended. Dependent claims 2-9 are also amended for the consistencies with the amended independent claim 1. New claim 14 is added. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §102

Claims 1, 3-7, 9 and 11-13 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,805,762 to Boyce et al. ("Boyce").

Independent claims 1, 11 and 12 are amended for further clarification. Amended claim 1 recites that a decoding apparatus of the present invention is arranged so as to adaptively set a priority of each of a plurality of input encoded streams so that the priority set as each of the plurality of encoded streams can be changed. See, for example, Figs. 6 and 10 along with the relevant portions of the original specification. Other amended independent claims (i.e., claims 11 and 12) recite similar features to amended claim 1 as discussed herein.

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Since the decoding apparatus can adaptively set and then change the priority of each of the plurality of input encoded streams, an appropriate decoding processing of the encoded stream can be attained at a decoding side.

Boyce discloses a device for transmitting digital packetized video and audio in which a video encoder is included. In particular, Applicant notes that Boyce discloses a transmission system of a TV signal, including a transmitter (Figs. 8A, 8B) and a receiver (Figs. 9A, 9B). The transmitter provides a priority to an encoded data streams to be transmitted. See, for example, the Prioritizer 104 in Fig. 8A and col. 21, lines 38-59 of Boyce. The receiver performs pre-processing (ordering of data) of decoding on a received encoded stream in accordance with the priority. See, for example, the priority decoder 214 in Fig. 9B and col. 33, lines 36-45 of Boyce. However, Boyce fails to show or suggest that the receiver is arranged to first provide a priority to an encoded stream and have a function of changing the priority provided to the encoded stream as specifically recited by claims 1, 11 and 12 as amended.

Accordingly, each of claims 1, 11 and 12 as amended is neither anticipated nor rendered obvious in view of Boyce for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 11 and 12 under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

New claim 14 is added to recite the claimed invention in an alternative manner. In

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particular, new claim 14 recites similar features to claims 1, 11 and 12 as discussed above, i.e.,
“a setting unit, arranged to set a priority of each of the plurality of encoded streams inputted by
said inputting means adaptively, wherein said setting unit is capable of changing the priority set
as each of the plurality of encoded streams. New claim 14 is accordingly believed to be
allowable for at least the similar reasons as for independent claims 1, 11 and 12.

Applicant believes that the application including the added claim is in condition for
allowance and such action is respectfully requested.

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AUTHORIZATION

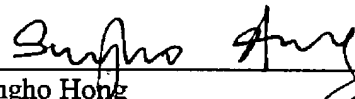
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4788). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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